

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Nathaniel Mehlman	Team: Team # 2	CCRB Case #: 200805687	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 03/05/2008 5:15 AM	Location of Incident: Briggs Avenue and 198th Street	Precinct: 52	18 Mo. SOL 9/5/2009	EO SOL 9/5/2009	
Date/Time CV Reported Mon, 04/21/2008 2:44 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 04/21/2008 2:33 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Erick Acevedo	12656	901082	052 PCT
2. Officers			
3. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Manuel Delarosa	11779	945171	052 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Erick Acevedo	Abuse: PO Erick Acevedo stopped § 87(2)(b)	
B.POM Erick Acevedo	Discourtesy: PO Erick Acevedo spoke obscenely to § 87(2)(b)	
C. Officers	Force: Officers used physical force against § 87(2)(b)	
D. An officer	Force: An officer used pepper spray against § 87(2)(b)	

Synopsis

On April 21, 2008, § 87(2)(b) used the CCRB website to file the following complaint. On March 5th 2008, at approximately 5:15pm § 87(2)(b)'s friend received a summons for public urination on Briggs Ave. in Brooklyn. PO Erick Acevedo and PO Manuel De La Rosa were the officers who issued his friend a summons.

§ 87(2)(b) made comments to his friends while the officers issued his friend a summons. PO Acevedo instructed § 87(2)(b) to leave. § 87(2)(b) did not leave and made more comments about the officers to his friend. PO Acevedo asked § 87(2)(b) for identification and when § 87(2)(b) asked why, PO Acevedo said the work "fuck" in reiterating his request. § 87(2)(b) provided his identification to PO Acevedo who said into his radio, "I got one."

After five minutes a patrol car arrived at the location. PO Acevedo instructed § 87(2)(b) to "put your hands on the car." § 87(2)(b) did not comply. The officers from the patrol car grabbed § 87(2)(b) and he fell limp on the ground. § 87(2)(b) was punched and kicked by officers. He was then pepper sprayed in the face and handcuffed by an officer. § 87(2)(b) was taken to the 52nd Precinct and processed for arrest.

On April 24, 2008, the investigator spoke to § 87(2)(b) who scheduled an appointment for April 29, 2008. § 87(2)(b) failed to appear for this appointment and did not call to cancel. A missed appointment letter was mailed to § 87(2)(b) on this date. On April 30, 2008, the investigator called § 87(2)(b) and scheduled an appointment for May 6, 2008. On May 5, 2008, the investigator received a call from § 87(2)(b) who stated that he was an attorney retained by § 87(2)(b) and that he had a meeting with § 87(2)(b) on May 6, 2008. § 87(2)(b) cancelled § 87(2)(b)'s CCRB appointment and stated that § 87(2)(b) would reschedule after he spoke to § 87(2)(b).

On May 7th, 9th and 12th of 2008, the investigator called § 87(2)(b) and § 87(2)(b) and left voice mail messages. On May 14th 2008, the investigator mailed a please call letter to § 87(2)(b). On May 15th and 19th of 2008, the investigator called § 87(2)(b) and left voice mail messages. On May 19, 2008, the investigator mailed a final please call letter to § 87(2)(b). None of the letters mailed to § 87(2)(b) were returned to the CCRB. § 87(2)(b), § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: